62 Applicability of rules to public institutions.—The foregoing bye-laws and rules apply *mutatis mutandis* to all public institutions such as schools, colleges, hostels, hospitals and public offices, etc., the supply allowed in each case free of charge being determined by the department and any excess used over and above the free supply as measured by the meter being paid for by the institution concerned at the rates prescribed.

63 Liability of the department for non-supply:—Whether for domestic or for non-domestic purposes the department or the Municipal Council is not liable in the absence of a contract to the contrary to any penalty or damages for non-supplying water, if such non-supply arises from accidentsto pipe lines, bursts, shut down of power and unusual drought or other unavoidable causes beyond its control.

M. C. DODDIAH, *President.*

OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, MALAVALLI.

Notification dated 26th June 1963.

No. CI. P. R. 139/63-64. Notice is hereby given to the inhabitants of Malavalli Town Municipality that the Municipal Council, Malavalli, at their meeting held on 29th November 1962 have resolved to adopt for the first time the Rules for regulating the matters and things connected with the supplying and use of water at Malavalli Municipality as per Model Rules framed by Government-*Vide*, Notification No. L. 1854-ML. 109-53-2 dated 11th May 1953 and herein appended and published as per Section 46 (1) (h) of Town Municipal Act, 1951. Any inhabitant of the Municipality objecting to the proposed rules may within one month from the date of publication of this Notification in *Mysore Gazette* send his objections in writing to the President, Town Municipal Council Malavalli. Objections received after due date will not be considered.

Rules For Water Supply.

1 These rules shall be called the Rules for the supply of water in Malavalli Town Municipality.

2 The Owner or Consumer shall deposit with the authorised Officer, the cost of the attachment from the public main at the following rates.

½" attachment or less	...	Rs. 3-00 per month.

3 Every application for water connection shall be accompanied by a deposit of not less than Rs. 10 the actual amount being determined by the Department in each case, in addition to the usual cost of attachment, road boxes etc, to serve as an advance. This deposit shall be refunded to the depositor on demand after settling his accounts. Such deposit shall be taken in the case of existing connections also.

4 For every meter installed by the Municipality or Government to premises and kept in working condition, the following rates of meter rent shall be levied per month in addition to whatsoever charge may be due for the water consumed, provided that for the period when the meter is out of order, no such rent shall be charged.

½" to ¾ meter	...	Rs. 0-25 nP.

5 Testing of Meters—Any person disputing the accuracy of the meter may apply to the authorised officer who shall on payment of a fee of Rupee One per test direct the testing of meter. If on actual test the quantity registered by the meter, is in excess of the correct quantity by more than 5 per cent, the testing fees shall be refunded and a proportionate rebate shall be allowed for the month in question and the modified bill paid for as per rules. No rebate shall be allowed if the excess is five per cent and below and the testing fee shall not also be refunded.

6 Excess water charges.—Any consumer who uses water in any month in excess of the free allowance, shall pay for such excess at the rate of Rupee one for every 1,000 gallons so consumed. Fraction of 1,000 gallons shall not be charged for, if it be 500 gallons or less but the excess over 500 gallons, if any, shall be charged for as if it were 1,000 gallons.

7 Non-domestic purpose.—Non-domestic concerns shall not be entitled to free allowance of all the water supplied to such premises shall be charged for as per the following schedule till meters are installed to the connections.

½" connection for non-domestic purposes	...	Rs. 10 p.m.
¾" do do	...	Rs. 15 p.m.

The same rates shall apply to Government Industrial concerns and Commercial concerns also. For domestic connections the rates shall be as noted below till meters are installed.

½" connection	...	Rs. 3 per month.
¾" do	...	Rs. 4 per month.

8 Payment of water charges.—The excess water charges, meter rent, and other charges due under these rules shall be paid within fifteen days from the date of the bill at the office of the authorised officer on bills which shall be sent to the party within five days from the date of meter reading. If the bills are not received within five days from the date of meter reading, the party may obtain duplicate bills from the supply office to enable him to make payment within the due date. Non-receipt of bills shall not be accepted as an excuse for delay in payment. Payment should invariably be made in cash, Money Order, or postal orders but cheques for amount not less than Re. 1 drawn on local Banks such as Imperial Bank of India, the Mysore Bank, Co-operative Banks and Societies, shall be accepted in payment of dues.

Disconnections and Re-connection of service.—On failure of payment within the due date, the Department reserves the right to cut off water supply to the premises and connection will be restored only on receipt of the amount along with a penalty of Re. 1 in such cases. This penalty will not be charged if disconnection is made at the request of the consumer subject to the condition that all the dues up to the date of disconnection are paid up on or before the due date. Disconnections may not generally be made when the arrears due from any installation is less than rupee one, provided such arrears are paid up before the next quarterly bill is pr ferred. As mistakes are likely to occur in crediting the receipt to the proper ledger account and giving room for disconnection of service in such cases, notwithstanding such payments being made by the concerned parties, the consumers are advised to produce receipts for payments or alternatively postal money-order receipts or counterfoils of cheques when asked for by the officials of the Department who have been directed to effect disconnection of service in cases of default in payment. No disconnection shall be made without first asking for the voucher in support of the payment made. Cheques drawn on local Banks such as the Imperial Bank of India, Mysore Bank, Co-operative Banks and Societies shall be accepted but no cheques shall be accepted for sums less than a Rupee which shall be paid only in cash.

9 Payments claimed by the Departments even in such cases of dispute shall be made within the specified time subject to the grant of a refund on after final decision by the Department.

10 Payment by Consumer or Owner.—All money due for water consumed, meter rent or other charges under these rules shall be payable by the consumer or on his default by the owner.

11 Intimation of change of ownership or tenancy:—All changes of ownership or tenancy of a premises should be intimated forthwith to the authorised officer in writing failing which the new consumer or owner shall be liable to be proceeded against recovery of all arrears connected with the supply of water provided however that for any such sum recovered from the new tenant, he shall be entitled to credit in account with the owner of the premises.

12 Claims for water charges etc., shall not become time barred merely by any dealy on the part of the Department, provided that the bills for the claims can be shown to have been sent by the authorised officer atleast once immediately after the charges become due. Arrears of charges due if found irrecoverable by the department, will be recovered in the same manner as any other muncipal dues under the Town Municipal Act, 19 1.

13 The President shall when requested by the consumer in writing furnish a Memorandum showing the consumption and probable charges on account of water consumed, meter rent and other items for any period subsequent to the preparation of the last bill in the office.

14 In cases of neglect or unwarranted delay to report wastage under the above rules, the President or the authorised officer may cut off the water connection wihout notice and follow it up with the official notice to the consumer or the owner.

15 The connection shall not be restored until the defects of leakage, etc., are satisfactorily restored. A bill of cost for such immediate repairs executed by the departmental agency will be sent to the party who has to pay the same.

In cases where wastage of water is due to leaky pipes, the party may be charged at a concessional rate of 0-50 nP per 1,000 gallons for such loss, the quantity being calculated as the difference between the actual consumption and the average consumption of the previous six months or the free allowance, the premises are entitled to whichever is greater.

16 Power to cut off the connection.—The President or the Athorised Officer shall have power to cut off the connection between the supply and communication pipes in any one of the following cases, provided that a reasonable written notice showing the specified cause or causes is given in advance such notice being posted on the houses or premises in case the consumer is not accessible.

(a) In defalut of payment of excess water charges, meter rents, or any other charges due under these rules which have been duly demanded previously through bills issued from the Office of the authorised Officer.

(o) If any consumer violates any of the conditions on which connection has been granted to the premises in question resulting in the misuses of such water.

(o) In case of leakage through pipes or other fittings or any defective or insanitary condition of the same.

( ) In case of allowing wastage of water even after the issue of a warning in advance.

(e) In the case of broken pipe or fitting causing or likely to cause heavy loss of water or damage of property.

(i) In the case of refusal to allow the President or the authorised officer to enter into any land or building for the purpose of inspecting or repairing or attending to any works connected with the water supply given to the premises.

(g) In case of any person wilfully or unauthorisedly permitting to any other person to take a connection from his supply.

(h) In case of contamination of water from storage cistern.

(i) In case the occupier of the premises does not give proper protection to meter readers from any injury being caused by animals, such as dogs, etc.

17 In the case of Government Building for residential purposes the excess water charges shall be recovered as under the rules applicable to the general rate payers, from the occupier direct as a liability against him. In the case of his default the head of the Department concerned under whose charge the building is left shall recover the arrears.

18 Mosques, Churches, Temples and other Religious Institutions.—In case of Mosques, Churches, Temples and other Religious Institutions recognised as such by the Municipal Council and used by the public, water shall be supplied free of cost.

Note.—(i) Only one tap will be allowed for each Institution.

If more than one tap is required. the Institution must pay for the excess water consumed at the rates charged under the rules.

(ii) The trustees of the Institutions concerned should see that the repairs needed to the pipe line and taps are attended to promptly and that water is not misused or wasted.

(iii) The staff of the water supply department shall inspect these institutions frequently and the defects. if any, pointed out by them should be attended to speedily by the trustees of the institutions concerned.

(iv) Failure to attend to the defects pointed out will entail cutting off the water supply connection without notice.

(v) The President shall obtain the approval of Government to a consolidated list of religious institutions as are now existing and which shall be governed by these rules and new ones added to the list with the approval of the Government as and when they come into existence.

(vi) The above concessions shall not, however supply to the residential and other buildings attached to the institutions concerned, which will be governed by the general rules applicable to private buildings.

(b) *Charitable Institutions.*

(1) Chattrams.—The free allowance admissible in each case will be fixed by the Government on the recommendation of the Municipal Council and the excess consumption charged for at a concessional rate of 0-50nP. per 1,000 gallons. A consolidated list of existing chattrams in the Town will be submitted to the Government by the President.

(2) Hospitals.—The free allowance for each Hospital shall be fixed on the merits of each case on the recommendation of the Municipal Council and the excess consumption charged for at a concessional rate of 0-50 nP. per gallon.

Note.—Government however reserve the right to enhance or reduce the free allowance in the case of these Institutions according to the circumstances of each case.

(c) *Burial and Cremation grounds.*

The water supplied to the burial and cremation grounds will be entirely free of cost.

19 The free allowance of water in the case of Jails shall be as follows:—

(1) Convicts.—6¼ gallons per head per day.

(2) Resident Members on the jail establishment who have no separate water connection in their residental quarters—12½ gallons per head per day.

20 Jails.—The water supply department shall ascertain the strength of convicts and resident members of the jail establishment from time to time usually once a quarter and fix the free allowance accordingly.

21 Hostels.—The free allowance of water in the case of Hostels shall be 12½ gallons per boarder per day and the excess consumption charged for 2 at a concessional rate of 0–50 nP. per 1,000 gallons in the case of free hostels and at rupee one per 1,000 gallons in the case of Hostels having paying boarders. The department shall get the statistics every quarter before the 10th of the month following that quarter.

22 Supply to Government Institution.—In the case of Government public buildings and institutions in which Government offices are held and which are not run on commercial or business or trade lines, the entire water consumed shall be charged for at 0–50 nP. per 1,000 gallons without any free allowance as the building are used solely for public purposes.

23 But when Government institutions are in default or when the claims are disputed by them, the water supply shall not be cut off immediately. But two month's time shall be given to refer the matter to the Departmental Head and obtain orders for recovery.

Should they continue to default even thereafter, the matter may be referred to the Secretary to Government, Public Works Department and arrangements made for recovery through the Accountant General.

24 Water Supply out of Municipal limits.—In cases in which water supply is made to houses, premises, Industrial concerns, etc., outside the Municipal limits of the Town these rules shall apply *Mutatis mutandis*, except where such supply is controlled by a separate agreement with the Municipal Council.

No Houses, premises, Industrial concerns, etc., outside Municipal limits shall be eligible for any free allowance. All water supplied shall be charged for at a rate of rupee one per 1,000 gallons, except where otherwise provided for under a separate agreement with the Municipal Council.

All arrears of water charges, meter rent and other charges due to the Department or Council shall be recoverable from the consumer as arrears of land revenue.

P455 M. C. DODDAIAH, *President.*

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